

***Ex Parte Notice***

September 25, 2003

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, CC Docket No. 01-338;  
Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98;  
Deployment of Wireline Services Offering Advanced Telecommunications Capability, CC Docket No. 98-147

Dear Ms. Dortch:

On September 24, representatives of the High Tech Broadband Coalition (HTBC) met with the following members of the staff of the Wireline Competition Bureau: Chief William Maher, Tom Navin, Brent Olson, Marcus Maher, Michelle Carey, and Jeffrey Carlisle. The HTBC representatives were Grant Seiffert, John Boidock, Doug Cooper, Peter Pitsch, Tim Regan and the undersigned.

The HTBC representatives commended the staff for producing a report and order in the above-captioned proceeding that fundamentally reforms the unbundling rules by restoring to all carriers the incentive to invest in and deploy new, last mile broadband facilities. In the course of the meeting, the discussion included interpretations of several issues raised by the HTBC representatives: any unbundling requirements under Section 271 should not apply to the broadband facilities that are deregulated in the Order under Section 251; confirmation that incumbents do not have an obligation to install TDM capability during construction of new broadband facilities; ensuring that all of the afforded broadband regulatory relief in fact reaches the “mass market,” that is small businesses and multiple dwelling units (MDUs) in addition to residential customers; including in the complete exclusion from the unbundling requirements “green field” fiber-to-the-curb (FTTC) deployments that provide capabilities truly comparable to those provided by fiber-to-the-home (FTTH) loops; regulatory treatment of “dead fiber” in a central office and incumbent carrier designation as to whether such fiber is intended for use in either mass market fiber-to-the-premise or enterprise deployments.

Pursuant to Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, a copy of this submission is being provided to the Commission staff present at the meeting. Please contact the undersigned with any questions in connection with this filing.

Respectfully submitted,

/s/ Derek R. Khlopin

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Derek R. Khlopin

cc:

William Maher

Tom Navin

Brent Olson

Marcus Maher

Michelle Carey

Jeffrey Carlisle